

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MASATO OCHIAI

Application No.: 09/507,941

Filed: February 22, 2000

For: NETWORK DEVICE CONTROL
APPARATUS, NETWORK DEVICE
CONTROL METHOD, NETWORK
DEVICE CONTROL PROGRAM, AND
COMPUTER-READABLE RECORDING
MEDIUM STORING NETWORK
CONTROL PROGRAM THEREIN

Examiner: D. E. England

Group Art Unit: 2143

March 8, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF THE SUBSTANCE OF THE
JANUARY 31, 2005 TELEPHONE INTERVIEW

Sir:

A telephone interview was conducted on January 31, 2005, in the above-identified application, between the Examiner and an attorney for Applicant (Fritz Klantschi, Reg. No. 50,333). This Statement includes the substance of the interview and should be considered as a separate record of the substance of the interview.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

March 8, 2005

(Date of Deposit)

Fritz Klantschi (Reg. No. 50,333)

(Name of Attorney for Applicant)

March 8, 2005

Signature

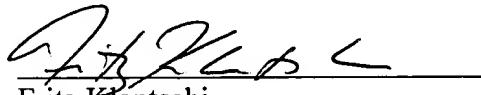
Date of Signature

During the interview, Applicant's attorney discussed the Office Action dated January 14, 2005, which was issued prematurely. Applicant filed a Request For Continued Examination (RCE) filed November 24, 2004, together with a request for a suspension of action under 37 C.F.R. § 1.103(c) for a period of three months. The expiration of the three month suspension being February 24, 2005. Applicant's representative requested the January 14, 2005 Office Action be withdrawn, because Applicant intended to file a supplemental response to the Amendment After Final Action filed on August 17, 2004 before the expiration of the three month suspension of action. The Examiner stated that he will withdraw the January 14, 2005 Office Action. Applicant concurs with this decision.

Applicant respectfully submits that this Statement is a complete record of the substance of the telephone interview conducted on January 31, 2005.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Fritz Klantschi
Fritz Klantschi
Attorney for Applicant
Registration No. 50,333

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200